

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT L. BARRETT,)	
)	2:09-cv-02959-GEB-EFB
Plaintiff,)	
)	<u>STATUS (PRETRIAL</u>
v.)	<u>SCHEDULING) ORDER</u>
)	
UNITED STATES DEPARTMENT OF)	
JUSTICE,)	
)	
Defendant.)	
_____)	

The status (pretrial scheduling) conference scheduled for March 1, 2010, is vacated since the parties indicate in the Joint Status Report ("JSR") that the following Order should issue.

STIPULATED DISMISSAL RESULTING IN CAPTION CHANGE

Since the parties stipulate in their JSR to dismissal of the Federal Bureau of Investigation and United States Attorney General Eric Holder as Defendants, those Defendants are dismissed.

FILING OF DECLARATION(S)

Defendant's statement in the JSR that it intends to file its declaration or declarations justifying its decision challenged in this case by April 9, 2010, is construed as Defendant's agreement on the deadline for this filing. Therefore, defendant's declaration or declarations justifying what is challenged in this case shall be filed on or before April 9, 2010.

MOTION HEARING SCHEDULE


Defendant's motion (and Plaintiff's cross-motion, if any) for summary judgment shall be filed on or before June 7, 2010, any opposition shall be filed on or before June 30, 2010, and any reply shall be filed on or before July 21, 2010. The hearing on the motion(s) shall be noticed for August 30, 2010, at 9:00 a.m., which is the last law and motion hearing date.¹

FURTHER STATUS CONFERENCE

A status conference is scheduled to commence at 9:00 a.m. on November 1, 2010. A JSR shall be filed fourteen (14) days before the status conference.

IT IS SO ORDERED.

Dated: February 24, 2010


GARLAND E. BURRELL, JR.
United States District Judge

¹ This time deadline does not apply to motions for continuances, temporary restraining orders, emergency applications, or motions under Rule 16(e) of the Federal Rules of Civil Procedure.